

# TRANSMITTAL OF APPEAL BRIEF (Large Entity)

Docket No.  
ITL.0681US

In Re Application Of: **Wah Yiu Kwong, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/020,701	December 12, 2001	Ronald Baum	21906	2136	9547

Invention: **Providing a User Input Interface Prior to Initiation of an Operating System**

## COMMISSIONER FOR PATENTS:

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**August 3, 2007**

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Dated: **September 18, 2007**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:

Wah Yiu Kwong, et al.

Serial No.: 10/020,701

Filed: December 12, 2001

For: Providing a User Input  
Interface Prior to Initiation of  
an Operating System

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Art Unit: 2136

Examiner: Ronald Baum

Atty Docket: ITL.0681US  
(P12999)

Assignee: Intel Corporation

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**APPEAL BRIEF**

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### **REAL PARTY IN INTEREST**

The real party in interest is the assignee Intel Corporation.

**RELATED APPEALS AND INTERFERENCES**

None.

## **STATUS OF CLAIMS**

Claims 1-25 (Rejected).

Claims 1-25 are rejected and are the subject of this Appeal Brief.

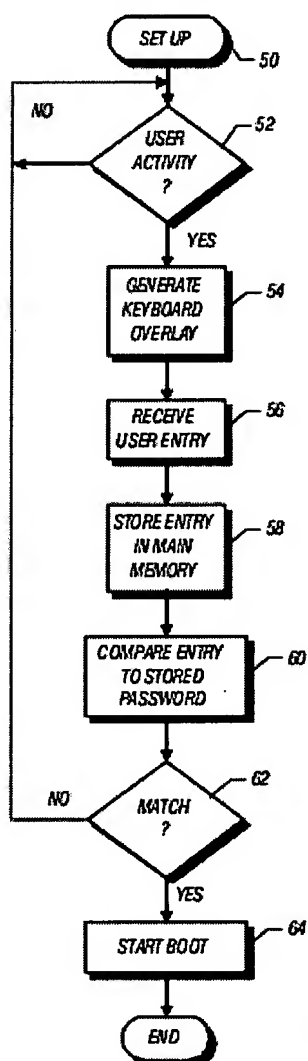
## **STATUS OF AMENDMENTS**

All amendments have been entered.

## SUMMARY OF CLAIMED SUBJECT MATTER

In the following discussion, the independent claims are read on one of many possible embodiments without limiting the claims:

1. A method comprising:  
detecting a user input (Fig. 3, 52; p. 5, lines 1-3);  
in response to the detection of a user input, generating a graphical user interface (Fig. 1, 68) before the operating system has booted (Fig. 3, 54; p. 3, lines 10-15);  
receiving an input from the user through said graphical user interface (Fig. 3, 56; p. 5, lines 5-8); and  
booting the operating system (Fig. 2, 64; p. 5, lines 11-15).



**FIG. 3**



11. An article comprising a medium storing instructions that enables a processor-based system to:
  - detect a user input (Fig. 3, 52; p. 5, lines 1-3);
  - generate a graphical user interface (Fig. 1, 68) before the operating system has booted (Fig. 3, 54; p. 3, lines 10-15);
  - receive an input from the user through said graphical user interface (Fig. 3, 56; p. 5, lines 5-8); and
  - boot the operating system (Fig. 2, 64; p. 5, lines 11-15).
21. A system comprising:
  - a processor (Fig. 2, 42);
  - a storage coupled to said processor (Fig. 2, 46); and
  - a graphics controller (Fig. 2, 12) coupled to said storage to generate a graphical user interface (Fig. 1, 68) before the operating system has booted (p. 3, lines 10-15).

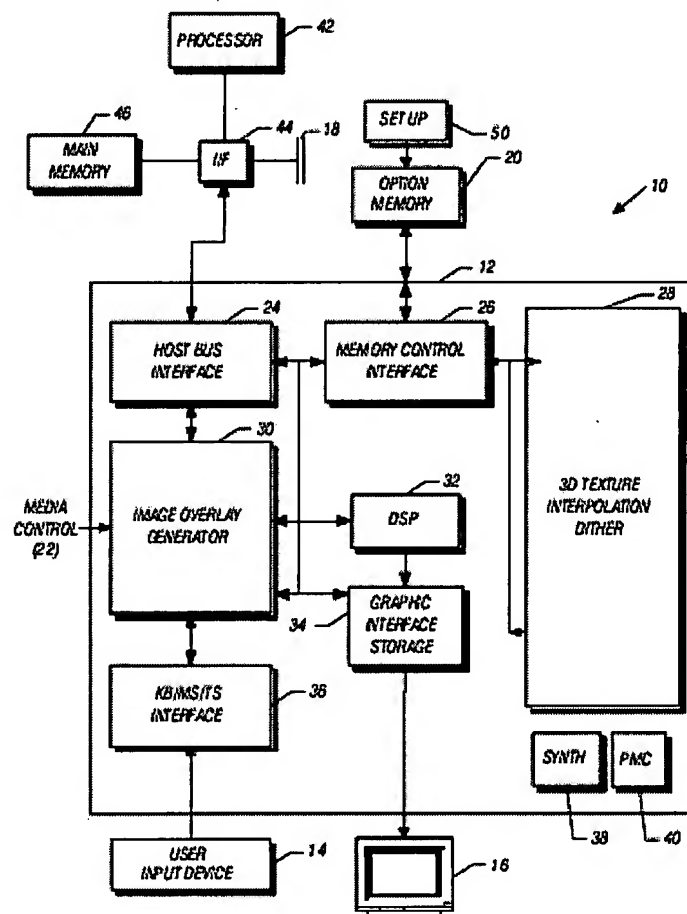


FIG. 2

At this point, no issue has been raised that would suggest that the words in the claims have any meaning other than their ordinary meanings. Nothing in this section should be taken as an indication that any claim term has a meaning other than its ordinary meaning.

**GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

- A. Whether claims 1-25 are unpatentable under 35 U.S.C. § 103(a) over Aluzzo (US 2002/0073306).**

## ARGUMENT

**A. Are claims 1-25 unpatentable under 35 U.S.C. § 103(a) over Aluzzo (US 2002/0073306)?**

The cited patent application to Aluzzo does not teach, in response to the detection of a user input, generating a graphical user interface before the operating system has booted. Generally, in conventional systems, the system must boot before a graphical user interface is possible.

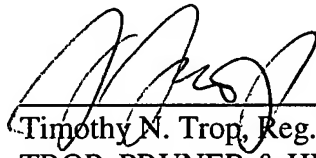
Nothing in Aluzzo is contrary to the conventional in this respect. Namely, Aluzzo displays a screen indicating that the computer is locked, as indicated in paragraph 40. But nothing about this computer lock screen could constitute a graphical user interface. By definition, the graphical user interface enables provision of computer inputs through the display. A display that simply says computer locked does the opposite. It precludes any user inputs and allows no interaction whatsoever. This is its very purpose. The reason for the computer lock display is to prevent the user from doing anything prior to the time the system is booted, specifically to prevent attempts to override the failure to authenticate. See paragraph 37.

To the extent that the office action suggests that the touch screen reader is utilized as part of the authentication routine in the pre-boot sequence, this would appear to be mistaken. The touch screen reader is one of the input devices 108. See paragraph 28. As explained in the last sentence in paragraph 31, if authenticated access is not provided, access to an input device is precluded. It is only after full computer functionality is restored after authentication that access to input devices is provided. See paragraph 44. Nothing in the cited reference teaches anything about how one would possibly interact with such a device prior to booting. Nor does the reference ever explicitly state that this is possible. Therefore, the reference fails to teach enabling access to a graphical user interface prior to boot up. Thus, the authentication process uses no such interrupt device and, therefore, there is no use of a graphical user interface prior to booting.

Applicant respectfully requests that each of the final rejections be reversed and that the claims subject to this Appeal be allowed to issue.

Respectfully submitted,

Date: September 18, 2007



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## **CLAIMS APPENDIX**

The claims on appeal are:

1. A method comprising:  
detecting a user input;  
in response to the detection of a user input, generating a graphical user interface before the operating system has booted;  
receiving an input from the user through said graphical user interface; and  
booting the operating system.
2. The method of claim 1 wherein detecting a user input includes detecting the operation of a push button.
3. The method of claim 1 wherein generating a graphical user interface includes generating a graphical user interface using a graphics controller.
4. The method of claim 3 including storing information for generating said graphical user interface on an option memory.
5. The method of claim 1 including using boot code running on a graphics controller to generate the graphical user interface.
6. The method of claim 1 wherein generating a graphical user interface includes generating a graphical user interface to enable the user to input a password.
7. The method of claim 6 wherein generating a graphical user interface includes generating an on-screen keyboard.
8. The method of claim 1 including receiving inputs from the user through the graphical user interface without a keyboard.

9. The method of claim 1 including authenticating a user and allowing the operating system to boot if the user has been authenticated.

10. The method of claim 9 including receiving a password entered without a keyboard using the graphical user interface.

11. An article comprising a medium storing instructions that enables a processor-based system to:

detect a user input;  
generate a graphical user interface before the operating system has booted;  
receive an input from the user through said graphical user interface; and  
boot the operating system.

12. The article of claim 11 wherein said medium stores instructions that enable the processor-based system to detect the operation of a push button.

13. The article of claim 11 wherein said medium stores instructions that enable the processor-based system to generate a graphical user interface using a graphics controller.

14. The article of claim 13 wherein said medium stores instructions that enable the processor-based system to generate said graphical user interface on an option memory.

15. The article of claim 11 wherein said medium stores instructions that enable the processor-based system to use the boot code running on a graphics controller to generate the graphical user interface.

16. The article of claim 11 wherein said medium stores instructions that enable the processor-based system to generate a graphical user interface to enable the user to input a password.

17. The article of claim 16 wherein said medium stores instructions that enable the processor-based system to generate an on-screen keyboard.
18. The article of claim 11 wherein said medium stores instructions that enable the processor-based system to receive inputs from the user through the graphical user interface without a keyboard.
19. The article of claim 11 wherein said medium stores instructions that enable the processor-based system to authenticate a user and allow the operating system to boot if the user has been authenticated.
20. The article of claim 19 wherein said medium stores instructions that enable the processor-based system to receive a password entered without a keyboard using the graphical user interface.
21. A system comprising:  
a processor;  
a storage coupled to said processor; and  
a graphics controller coupled to said storage to generate a graphical user interface before the operating system has booted.
22. The system of claim 21 wherein said system does not include a keyboard.
23. The system of claim 21 including a touch screen display.
24. The system of claim 21 wherein said storage stores instructions that enable the processor to automatically boot the operating system when a user input is received through a graphical user interface before the operating system is booted.



25. The system of claim 21 including an option read only memory that stores information to generate a graphical user interface for the entry of a password prior to booting of a operating system.

## **EVIDENCE APPENDIX**

None.

**RELATED PROCEEDINGS APPENDIX**

None.